**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No: 2443 of 2006**

Date: 09.03.2006

Between:

K. Ram Mohan Rao.

… Petitioner

and

The Govt. of A.P. rep.,by its Principal Secretary, Health, Medical &Family Welfare Department, Secretariat, Hyderabad.

Respondents.

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION NO. 2443 OF 2006**

**ORDER:**

The grievance of the petitioner in this writ petition is that he was awarded diet canteen contract for a stipulated period of three months, whereas G.O.Ms.No.32 dated 2.2.2005 required a contract to be given for a minimum period of three years.

Counter affidavit is filed, on behalf of respondents 1 and 2, wherein it is stated that the petitioner has been supplying diet to patients as well as duty doctors for the past 18 years and instead of personally supervising the supply of diet, he has been engaging the services of others in this regard.

G.O.Ms.No.32 dated 2.2.2005 are in the nature of executive instructions and a writ for enforcement thereof is not normally entertained. In any event, the said

government order is not violated, since it is not in dispute that the petitioner has been supplying diet to patients as well as duty doctors for the past 18 years.

The writ petition, as filed, is liable to be dismissed, and challenge to the tender notice dated 21.2.2006 must also fail. Needless to state that in case, the petitioner is eligible and participates in the tender process, his case shall also be considered along with other tenderers in accordance with law.

Subject to the above observations, the writ petition is dismissed.

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9-3-2006

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